

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,	:	21-CR-00613(RPK)
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	:	
-against-	:	United States Courthouse
	:	Brooklyn, New York
	:	
	:	Thursday, June 8, 2023
ANGEL ALMEIDA,	:	3:30 p.m.
	:	
Defendant.	:	

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TRANSCRIPT OF CRIMINAL CAUSE FOR STATUS CONFERENCE
BEFORE THE HONORABLE RACHEL P. KOVNER
UNITED STATES DISTRICT JUDGE

A P P E A R A N C E S:

For the Government: BREON PEACE.
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Eastern District of New York
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Court Reporter: Stacy A. Mace, RMR, CRR, RPR, CCR
Official Court Reporter
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1 (In open court.)

2 THE COURTROOM DEPUTY: All rise.

3 (Judge RACHEL P. KOVNER entered the courtroom.)

4 (Defendant entered the courtroom.)

5 THE COURTROOM DEPUTY: United States of America

6 versus Angel Almeida.

7 Counsel, please state your name for the record.

8 MR. EDWARDS-BALFOUR: Good afternoon, Your Honor.

9 Chand Edwards-Balfour on behalf of the Government.

10 With me is Special Agent Nick Satwicz.

11 THE COURT: Good afternoon.

12 MR. GREGORY: Good afternoon, Your Honor.

13 Samuel Gregory for Mr. Almeida.

14 THE COURT: Good afternoon. And good afternoon,

15 Mr. Almeida.

16 MR. GREGORY: Pardon me?

17 THE COURT: I said good afternoon, and good

18 afternoon to Mr. Almeida.

19 MR. GREGORY: Thank you.

20 THE COURT: Okay. So I think Mr. Gregory is the

21 third attorney that I have appointed in this case. I

22 appointed Mr. Murray back in February.

23 It seemed like we were making -- there was some

24 forward movement in the case. I appointed an additional

25 lawyer to help Mr. Gregory with some of the electronics-

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1 related legal issues in this case that I think this case will
2 involve, which are of some legal complexity.

3 And I have gotten a letter from Mr. Gregory
4 indicating that there's been a breakdown in communication just
5 recently.

6 Mr. Gregory had a call with Mr. Almeida on May 11th
7 that Mr. Almeida ended, and since then Mr. Gregory has not
8 been able to really communicate with Mr. Almeida. I think
9 he'd gone to the facility to try to meet with Mr. Almeida and
10 Mr. Almeida hadn't been willing to meet with him.

11 Mr. Almeida, where do we stand from your perspective
12 at this point?

13 THE DEFENDANT: I want to go pro se and I want to
14 invoke my rights to speedy trial.

15 THE COURT: Okay.

16 All right, so you have a right to do that. As I
17 think I mentioned the last time we sort of talked about that
18 issue, I have to go through some questions with you to make
19 sure you understand the rights that you are giving up if you
20 go pro se and what the challenges associated with trying this
21 case by yourself will be.

22 So I think we already have an appearance in this
23 case scheduled for Tuesday. So I can prepare that inquiry for
24 Tuesday and we can go through it on Tuesday. And I am happy
25 to also set a trial date on Tuesday, if you do decide on

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1 Tuesday after talking about it with me that you do want to
2 represent yourself in the case.

3 Mr. Gregory, are you able to serve as standby
4 counsel in this case if Mr. Almeida does decide to represent
5 himself so that he has somebody if he does decide he wants
6 legal advice?

7 The legal questions in this case are complicated and
8 I think it would be helpful to, at least, have a standby
9 option.

10 MR. GREGORY: Your Honor, I would be willing to do
11 that, if Mr. Almeida is willing to let me serve as standby
12 counsel.

13 THE DEFENDANT: No, I'm not taking this nigger.
14 This nigger's a street bitch. I'm not taking his fuckin'
15 crap, bro. That shit is dead. That shit is fuckin' dead.
16 I'd smack the shit out of this nigger if I wasn't in cuffs.
17 I'm not taking this nigger.

18 THE COURT: Okay. So if you are going to represent
19 yourself in this case, you can't be talking about people that
20 way. You can't be threatening.

21 THE DEFENDANT: I'm just letting you know that I'm
22 not taking him.

23 THE COURT: Okay.

24 All right. On Tuesday I'll go through the set of
25 questions that I have to go through with you to talk about

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1 whether you want to represent yourself and give you the
2 information you need to know before making that decision.

3 I think probably, Mr. Gregory, it makes sense to
4 excuse you from the case. And in the event that standby
5 counsel is appointed, I'll appoint somebody else. But I
6 appreciate your working on this case and you are excused.

7 MR. GREGORY: Thank you so much, Your Honor. I
8 appreciate it.

9 THE COURT: All right.

10 Okay, so on Tuesday I'll plan to do a *Faretta*
11 inquiry and if Mr. Almeida decides that he does want to
12 represent himself, at that point we can talk about scheduling
13 and setting a trial date.

14 Anything you want to today up today?

15 MR. EDWARDS-BALFOUR: Nothing further from the
16 Government, Your Honor.

17 The time is already excluded through that day, so we
18 are all --

19 THE COURT: Okay, great. I'll see you all on
20 Tuesday.

21 MR. EDWARDS-BALFOUR: Thanks, Your Honor.

22 (Matter adjourned.)

23 (Defendant exited the courtroom.)

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SAM OCR CRR RMR RPR